

21415-0014

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/524,539

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO. PCT/AU2003/001021	INTERNATIONAL FILING DATE 12 August 2003 (12.08.2003)	PRIORITY DATE CLAIMED 12 August 2002 (12.08.2002)
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## TITLE OF INVENTION

**IMMUNOMODULATING COMPOSITIONS, PROCESSES FOR THEIR PRODUCTION AND USES THEREFOR**

## APPLICANT(S) FOR DO/EO/US

Ranjeny THOMAS and John Brendan O'SULLIVAN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4.  The US has been elected (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  A English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  had been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.  An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20. below concern document(s) or information included:

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included
13.  A preliminary amendment.
14.  An Application Data Sheet under 37 CFR 1.76.
15.  A substitute specification.
16.  A power of attorney and/or address letter.
17.  A computer-readable form of the sequence listing in accordance with PCT Rule 132 and 37 CFR 1.821-1825
18.  A second copy of the published international application under 35 U.S.C. 154(d)(4)
19.  A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20.  Other items or information: International Search Report; copy of Notice (dated 8/9/05)

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PCT/AU2003/00102

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21. The following fees are submitted:

a) Basic national fee..... \$300.00  
 b) Examination fee ..... \$200.00  
 c) Search fee..... \$500.00

**TOTAL OF ABOVE CALCULATIONS =**

Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.

TOTAL SHEETS	EXTRA SHEETS	NUMBER EXTRA (of each additional 50 or fraction thereof rounded up to a whole number)	RATE
-100 =	12/50 =		x \$250.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	60- 20 =	40	x \$50.00	\$ 2,000.00
Independent claims	8 - 3 =	5	x \$200.00	\$ 1,000.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 360.00

**TOTAL OF ABOVE CALCULATIONS = \$ 3,490.00**

Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**SUBTOTAL = \$ 1,745.00**

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

+

**TOTAL NATIONAL FEE = \$ 1,745.00**

Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+

**TOTAL FEES ENCLOSED = \$ 1,745.00**

10/04/2003 MKAYPAGH 00000149 10524539

01 FC:2611 65.00 OP  
 02 FC:2613 1000.00 OP  
 03 FC:2614 500.00 OP  
 04 FC:2616 180.00 OP

Amount to be refunded:

\$

Amount to be charged:

\$

a.  A check in the amount of \$ 1,745.00 to cover the above fees is enclosed.

b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.

A duplicate copy of this sheet is enclosed.

c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment To Deposit Account No. 08-1641 A duplicate coy of this sheet is enclosed.

d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Paul M. Booth  
 HELLER EHRLMAN  
 1717 Rhode Island Avenue, NW  
 Washington, D.C. 20036  
 Customer No. : 26633

  
 SIGNATURE

NAME

Date

Paul M. Booth

September 27, 2005

REGISTRATION NUMBER

40,244



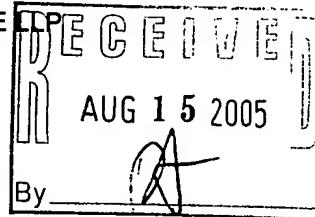
## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,539	Ranjeny Thomas	21415-0014

26633

HELLER EHRLICH WHITE & MCAULIFFE  
 1717 RHODE ISLAND AVE, NW  
 WASHINGTON, DC 20036-3001



INTERNATIONAL APPLICATION NO.

PCT/AU03/01021

I.A. FILING DATE	PRIORITY DATE
08/12/2003	08/12/2002

CONFIRMATION NO. 1436  
 371 FORMALITIES LETTER



\*OC000000016706225\*

Date Mailed: 08/09/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/14/2005
- Copy of the International Search Report filed on 02/14/2005
- Copy of IPE Report filed on 02/14/2005
- Preliminary Amendments filed on 02/14/2005
- Copy of references cited in ISR filed on 02/14/2005
- U.S. Basic National Fees filed on 02/14/2005
- Priority Documents filed on 02/14/2005
- Specification filed on 02/14/2005
- Claims filed on 02/14/2005
- Abstracts filed on 02/14/2005
- Drawings filed on 02/14/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,539	PCT/AU03/01021	21415-0014

FORM PCT/DO/EO/905 (371 Formalities Notice)